IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

FRIDAY, THE 29TH JUNE 2007 / 8TH ASHADHA 1929

WP(C).No. 19980 of 2007(C)

PETITIONER:

K.RAMAKRISHNA CONTRACTORS PRIVATE LTD.,
HOUSE NO. 1436-A, KARADAN PARAMBA,
KANHIRAMUKKU JUNCTION, P.O.KARAPARAMBA,
KOZHIKODE.

BY ADV. SRI.K.V.GOPINATHAN NAIR

RESPONDENTS:

1. THE REGIONAL TRANSPORT OFFICER,
KOZHIKODE.

2. THE SALES TAX OFFICER, KOZHIKODE.

BY G.P. SHRI.I.V.PRAMOD.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 29/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

S.SIRI JAGAN, J.

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W.P.(C).No.19980 of 2007

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Dated this the 29th day of June, 2007

J U D G M E N T

Petitioner's application for registration of his vehicle has not been considered on the ground that the petitioner has not paid entry tax in respect of the vehicle. This court has already declared that the provisions relating to entry tax are unconstitutional by the decision in *K.A.Jose v. R.T.O. & anr*. reported in 2007(1) KLT 128. That being so, the respondents cannot insist on payment of entry tax as condition for registration of the vehicle. Accordingly, I direct the 1st respondent to consider the application of the petitioner for registration of his vehicle without insisting on payment of entry tax, if the application is otherwise in order.

Writ petition is disposed of as above.

Sd/-

sdk+ S.SIRI JAGAN, JUDGE

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P.A. to Judge.